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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,801	08/22/2001	Andrew J. Piepel	56549US004	9372

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EXAMINER

LAstra, DANIEL

ART UNIT

PAPER NUMBER

3622

DATE MAILED: 12/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/934,801

Applicant(s)

PIEPEL ET AL

Examiner

DANIEL LASTRA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2003.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-16 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 06/06/03; 04/05/02.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-16 have been examined. Application 09/934,801 has a filing date 08/22/2001 and is a continuation in part of 09827773 (04/06/2001).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-6, 8, 9 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Lee (U.S. 6,337,769).

As per claim 1, Lee teaches:

A method of temporarily displaying information to influence purchasing decisions comprising the steps of

i) generating the information (see column 1, lines 5-10),

- ii) recording the information on media at a central controller (see column 3, lines 45-55),
- iii) temporarily associating a screen with a substantially transparent surface at a position that is capable of being viewed by the potential customers and that is at a location that is remote from the central controller (see column 3, lines 1-60; figure 7),
- iv) temporarily installing a projector near the screen, the projector being capable of receiving the information and displaying the information on the screen (see column 3, lines 1-60, figure 7),
- v) repeating steps iii) and iv) at a plurality of separate locations to afford centralized management of the information (see figure 7),
- vi) displaying the information at the plurality of separate locations for a time W15 period, and (see figure 7)
- vii) removing the screen and projector after the time period (see figure 7).

As per claim 2, Lee teaches:

A method according to claim 1 wherein the step of displaying the information comprises the step of displaying video, DVD, television, Internet generated information, or combinations thereof (see column 3, lines 45-55).

As per claim 3, Lee teaches:

A method according to claim 1 wherein the step of generating the information comprises generating promotional, advertising, price, offer, warranty, rebate, or instructional information, or combinations thereof (see figure 7, item 14).

As per claim 4, Lee teaches:

Electronic media for use with an optical system comprising a computer associated with a projector capable of presenting an image, a screen having a rear surface for receiving light from the projector, and a viewing surface opposite the rear surface (see figure 7, item 14), and

a removable adhesive on the viewing surface of the screen for temporarily adhering the screen to a substantially transparent surface so that a potential customer may view the screen through the substantially transparent surface, the electronic media containing software which upon installation in the computer and execution of the software will cause the computer to carry out the method comprising the steps of:

projecting information designed to influence purchasing decisions to potential customers from the projector onto the rear surface of the screen to provide the information to the potential customer for a temporary time period (see figure 7, item 14).

As per claim 5, Lee teaches:

Electronic media according to claim 4 wherein the software includes means for preventing the information from being displayed after the temporary time period (see column 3, lines 19-55).

As per claim 6, Lee teaches:

A method of converting a transparent surface, such as a window, at a business location to advertising, the method comprising the steps of:

- i) generating the advertising information (see column 1, lines 5-10; figure 7),
- ii) recording the information (see figure 8),

- iii) temporarily associating a screen with the transparent surface at a position that is capable of being viewed by viewers outside the location (see figure 7),
- iv) temporarily installing a projector near the screen, the projector being capable of displaying the information on the screen (see figure 8),
- v) displaying the information during non-core business hours (see figure 7),
- vii) removing the screen and projector after the non-core business hours (see column 3, lines 19-55).

As per claim 8, Lee teaches:

A method according to claim 6 further including the steps of determining whether the screen has been associated with the transparent surface, and preventing the projector from displaying the information on the screen unless the screen has been associated with the transparent surface (see column 3, lines 1-60).

As per claim 9, Lee teaches:

A system for providing information for influencing purchasing decisions comprising:

a projector capable of presenting an image, a computer associated with the projector (see figure 5), a screen having a rear surface for receiving light from the projector, and a viewing surface opposite the rear surface (see figure 5), means for releasably associating the screen with a transparent surface so that a potential customer may view the screen through the substantially transparent surface, electronic media containing software which upon installation in the computer and execution of the software will cause the computer to project information designed to influence

purchasing decisions to potential customers from the projector onto the screen to provide the information to the potential customer during a temporary time period (see figure 7).

As per claim 11, Lee teaches:

A system according to claim 9 wherein the computer comprises a central controller at a central location and the projector is located at a remote, local location, and wherein the computer is associated with the projector through a network (see column 3, lines 45-55).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (U.S. 6,337,769).

As per claim 7, Lee teaches:

A method according to claim 6 but does not expressly teach wherein the step of temporarily associating a screen with the transparent surface comprises the step of releasably attaching the screen to the transparent surface with a removable adhesive. However, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Lee would attach a screen like the one shown in

figure 6 to a business window using removable adhesive. This feature would allow to remove the screen from the window and restore the window's previous appearance.

As per claim 10, Lee does not expressly teach:

A system according to claim 9 wherein the electronic media includes means for automatically preventing the information from being displayed after the temporary time period. However, it would be a business decision to determine to turn off the information as displayed in figure 7. This feature would not patentably distinguish the claimed invention from the prior art.

Claims 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (U.S. 6,337,769) in view of Boyd (U.S. 6,484,148).

As per claim 12, Lee teaches

A system according to claim 11 but fails to teach wherein the system includes means for communicating information from the potential customers to the computer. Boyd teaches a system that target advertisements to consumers based upon consumers' profiles and identifications (see column 3, line 49 – column 4, line 20). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Lee would target advertisements based upon the consumers' profiles and identifications, as taught by Boyd. This feature would save time and money, as potential consumers would be targeted with their prefer advertisements.

As per claim 13, Lee and Boyd teach:

A system according to claim 12 wherein the computer has a processor for receiving information from the potential customers and altering the information provided to the potential customers. The same rejection applied to claim 12 is applied to claim 13.

As per claim 14, Lee and Boyd teach:

A system according to claim the computer comprises a local controller and the computer is associated with the projector through a local network (see Lee column 3, lines 45-55).

As per claim 15, Lee and Boyd teach:

A method of temporarily displaying information to influence purchasing decisions comprising the steps of

- i) generating the information,
- ii) recording the information on media at a central controller,
- iii) cutting a screen to a predetermined shape,
- iv) temporarily associating the screen with a substantially transparent surface at a position that is capable of being viewed by the potential customers for a temporary time period,
- v) temporarily installing a projector near the screen, the projector being capable of receiving the information and displaying the information on the screen, and
- vi) receiving information from the potential customers, and
- vii) using the information received from the potential customers to alter the

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information provided to the customers. The same rejection applied to claim 13 is applied to claim 15.

As per claim 16, Lee and Boyd teach:

A method according to claim 15 further including the steps of repeating steps iii, iv) and v) at a plurality of separate locations to afford centralized management of the information (see Lee column 3, lines 1-60).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 703-306-5933. The examiner can normally be reached on 9:30-6:00.

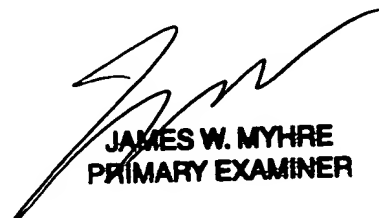
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ERIC W STAMBER can be reached on 703-305-8469. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Daniel Lastra

December 6, 2004



JAMES W. MYHRE
PRIMARY EXAMINER